

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JERRY VALENTINE, JR., :
Plaintiff, : Case No. 1:18-cv-1887
vs. : OPINION & ORDER
[Resolving Doc. 13]
COMMISSIONER OF SOCIAL SECURITY, :
Defendant. :

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

In April 2015, Plaintiff Jerry Valentine, Jr. applied for supplemental security income alleging disability.¹

The Social Security Administration denied his application initially and on reconsideration.² At Valentine's request, an administrative law judge ("ALJ") considered his case.³ The ALJ concluded that Plaintiff Valentine was not disabled.⁴ The Social Security Appeals Council denied Plaintiff's request for review.⁵

Valentine then brought this suit, asking the Court to reverse the ALJ's decision.⁶ He argues that the ALJ lacked substantial evidence to find that Valentine did not require a cane, the ALJ failed to evaluate Valentine's need to elevate his legs, and the ALJ erroneously and ambiguously found that Valentine was limited to superficial interaction with others.⁷ Magistrate Judge Burke issued a Report and Recommendation ("R&R") recommending that

¹ Doc. 12 at 259.

² *Id.* at 172, 184.

³ See *id.* at 189.

⁴ *Id.* at 14.

⁵ *Id.* at 5.

⁶ Doc. 1.

⁷ Doc. 13.

the Court affirm the ALJ's decision.⁸

If a party had objected to this R&R, the Court would consider the objected-to portions *de novo*.⁹ However, because neither party has objected, the Court may adopt the R&R without review.¹⁰

Moreover, the Court has conducted its own review and agrees with Judge Burke—the evidence sufficiently supported the ALJ's conclusion.

Accordingly, the Court **ADOPTS** Magistrate Judge Burke's R&R and **AFFIRMS** the ALJ's decision.

IT IS SO ORDERED.

Dated: September 13, 2019

s/ James S. Gwin
JAMES S. GWIN
UNITED STATES DISTRICT JUDGE

⁸ Doc. 18.

⁹ 28 U.S.C. § 636(b)(1).

¹⁰ *Thomas v. Arn*, 474 U.S. 140, 149 (1985).